

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Newport News Division

UNITED STATES OF AMERICA

v.

MARIA KARELIA MUNGUIA-ZELAYA,

Defendant.

Case No. *4:25mi15*



AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT

I, Christopher J. Cruz, being duly sworn, depose and state:

1. I am a Deportation Officer with the United States Immigration and Customs Enforcement (ICE) in Norfolk, Virginia. I have been employed with ICE for more than seven years. I was previously employed as a Police Officer with the Federal Emergency Management Agency (FEMA) beginning in April 2014. I have received specialized training and have conducted numerous investigations relating to administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code.

2. My duties as a Deportation Officer with ICE include investigating administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code and seeking, when applicable, prosecution and removal of violators. I have received training in general law enforcement, including training in Title 8 of the United States Code.

3. This affidavit is submitted in support of a criminal complaint and arrest warrant for MARIA KARELIA MUNGUIA-ZELAYA (hereafter referred to as MUNGUIA-ZELAYA), an alien who was found in the United States after being denied admission, excluded, deported, or removed, or having departed the United States while an order of exclusion, deportation, or

removal was outstanding, in violation of Title 8, United States Code, Section 1326(a) and who destroyed government property, in violation of Title 18, United States Code, Section 1361.

4. The facts and information contained in this affidavit are based upon my training and experience, personal knowledge, and observations during this investigation, as well as the observations of other agents involved in this investigation. This affidavit contains information necessary to support probable cause, but it is not intended to include every fact and matter observed by me or known to the United States.

SUMMARY OF FACTS TO SUPPORT PROBABLE CAUSE

5. On or about February 8, 2025, ICE learned that Fort Eustis Military Police Department (FEPD) within Newport News, Virginia, which is in the Eastern District of Virginia, arrested and detained MUNGUIA-ZELAYA for attempted unlawful entry onto a military installation by foreign national. Once detained FEPD contacted ICE for assistance.

6. I responded to the FEPD request for assistance in person. I arrived at Fort Eustis Military Installation and made contact with MUNGUIA-ZELAYA. I proceeded to conduct an interview at which time I fingerprinted and captured MUNGUIA-ZELAYA's photograph utilizing the handheld EDDIE biometric scanner. The EDDIE biometric scanner is a device utilized to capture fingerprints and to scan documents such as driver's licenses and passports. The EDDIE connects directly to all law enforcement and immigration information data systems. Utilizing this system a positive identity confirmation was returned confirming MUNGUIA-ZELAYA is a native and citizen of Honduras who was removed from the United States on or about May 19, 2010, at or near Harlingen, Texas. MUNGUIA-ZELAYA did not have legal authorization to reenter or remain in the United States.

7. I also reviewed MUNGUIA-ZELAYA's immigration file maintained by U.S. Citizenship and Immigration Services. The file, also known as an alien file, revealed that MUNGUIA-ZELAYA is a citizen and national of Honduras. The file contained an executed Immigration Service Form I-205, Warrant of Removal/Deportation, bearing MUNGUIA-ZELAYA's photograph, fingerprint, and signature. This form showed that MUNGUIA-ZELAYA was removed from the United States on May 19, 2010, from Harlingen, Texas.

8. MUNGUIA-ZELAYA's alien file lacks evidence of any immigration benefit, document, or status that would allow her to legally enter, be admitted, pass through, or reside in the United States. Further, MUNGUIA-ZELAYA has not obtained permission from the Attorney General or the Secretary of the Department of Homeland Security to reenter the United States following her formal removal.

9. On February 8, 2025, ICE installed a BI LOC8XT GPS monitoring device on MUNGUIA-ZELAYA's leg and released her from custody.

10. On February 9, 2025, ICE received an alert notification from the GPS device that the installed BI LOC8XT GPS monitoring device totaling \$2,099.00 dollars was cut off. ICE personnel attempted to retrieve the device but were unsuccessful due to its location. Last known location the device transmitted was near Virginia Beach, Virginia within the Chesapeake Bay.

CONCLUSION

11. Based on the foregoing, I submit that there is probable cause to believe that on or about February 8, 2025, in Newport News, Virginia, within the Eastern District of Virginia, MUNGUIA-ZELAYA, an alien who was removed from the United States on or about on May 19, 2010, at or near Harlingen, Texas, was found in the United States without having obtained the express consent of the Attorney General or the Secretary of the Department of Homeland

Security to reapply for admission to the United States. I further submit that there is probable cause to believe that on or about February 9, 2025, in Virginia Beach, Virginia, within the Eastern District of Virginia, MUNGUIA-ZELAYA MARIA willfully and knowingly destroyed government property totaling \$2,099.00 dollars.

Respectfully submitted,



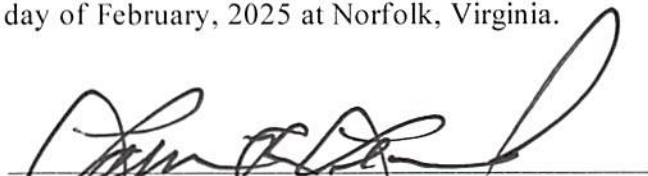
Christopher J Cruz
Deportation Officer
U.S. Immigration and Customs Enforcement

Read and reviewed:



Therese N. O'Brien
Assistant United States Attorney

Subscribed and sworn before me this 28th day of February, 2025 at Norfolk, Virginia.



UNITED STATES MAGISTRATE JUDGE